



September 20, 1999

Ms. Pamela S. Bacon
Public Information Administrator
The University of Texas System
601 Colorado Street
Austin, Texas 78701-2982

OR99-2621

Dear Ms. Bacon:

You have asked whether certain information is subject to required public disclosure under chapter 552 of the Government Code. Your request was assigned ID# 127354.

The University of Texas System received a request for information concerning a photographer. It is our understanding that the only responsive information you seek to withhold is the photographer's social security number. You state that the photographer is a public employee and that her social security number is confidential under section 552.101 of the Government Code. Section 552.101 protects information from disclosure if that information is otherwise confidential by law.

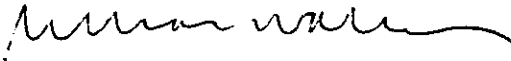
Sections 552.024 and 552.117 provide that a public employee or official can opt in writing to keep a social security number confidential. You must withhold the social security number from disclosure, under section 552.117, if as of the time of the request for the information the employee had elected to keep her social security number private. Open Records Decision Nos. 530 at 5 (1989), 482 at 4 (1987), 455 (1987).

Also, section 405(c)(2)(viii)(I) of title 42 of the United States Code provides that "social security account numbers and related records that are obtained or maintained by authorized persons pursuant to any provision of law, enacted on or after October 1, 1990, shall be confidential." This provision protects social security numbers if such information was obtained or maintained by a governmental body pursuant to a provision of law enacted on or after October 1, 1990. Open Records Decision No. 622 (1994) at 3. If this social security

number was obtained or is maintained pursuant to a provision of law enacted on or after October 1, 1990, it is confidential and may not be disclosed.

We are resolving this matter with an informal letter ruling rather than with a published open records decision. This ruling is limited to the particular records at issue under the facts presented to us in this request and should not be relied upon as a previous determination regarding any other records. If you have questions about this ruling, please contact our office.

Sincerely,



William Walker
Assistant Attorney General
Open Records Division

WMW/RHS/ch

Ref: ID# 127354

Encl. Submitted documents

cc: Mr. Stephen N. Lisson
Initiate!!
P.O. Box 2013
Austin, Texas 78768-2013
(w/o enclosures)